

BEST AVAILABLE COPY

Remarks

Claims 26-59 were pending. Claims 26-59 were subject to a five (5) way Restriction Requirement.

Claims 26-59 have been cancelled and replaced with new claims 60-67 to more clearly recite the present invention. Claims 60-67 are directed to substantially the same subject matter as former claims 26-59. Support for this amendment is apparent. Thus, no new matter is added.

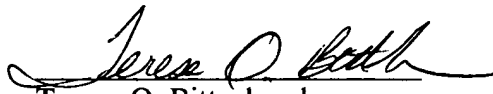
Election/Restriction

Applicants hereby elect to prosecute Group I (former claims 26-38, 52-53 and 58) drawn to an isolated polypeptide, a fusion protein, a vaccine and composition comprising antibody. This election is made without traverse. While the election of Group I is without traverse, Applicants reserve the right to traverse restriction requirements between the other asserted claim groups.

Closing Remarks

Entry of the Response and Amendment and allowance of the pending claims are respectfully requested.

Respectfully submitted,



Teresa O. Bittenbender
Registration No. 47,425
Attorney for Applicants

DECHERT
1717 Arch Street
4000 Bell Atlantic Tower
Philadelphia, PA 19103-2789
Fax: (215) 994-2222
Attn: Teresa O. Bittenbender, Esq.
(215-994-2213)

JUL 25 2002



Claims following entry of amendment mailed July 17, 2002

TECH CENTER 1600/2900

60. An isolated polypeptide comprising a member selected from the group consisting of

- (a) an amino acid sequence matching SEQ ID NO:2 or SEQ ID NO:4;
- (b) an immunogenic polypeptide comprising a fragment sequence of at least 15 amino acids that matches an aligned contiguous segment of SEQ ID NO:2 or SEQ ID NO:4;

wherein the isolated polypeptide, when administered to a subject in a suitable composition which can include an adjuvant, or a suitable carrier coupled to the polypeptide, induces an antibody or T-cell immune response to a polypeptide having the sequence of SEQ ID NO:2 or SEQ ID NO:4;

61. The isolated polypeptide of claim 60, wherein the polypeptide is according to (a).

62. The isolated polypeptide of claim 60, wherein the polypeptide is according to (b).

63. The isolated polypeptide of claim 60, wherein the immunogenic fragment of (b) comprises at least 20 amino acids.

64. The isolated polypeptide of claim 60, wherein the isolated polypeptide consists of SEQ ID NO:2 or SEQ ID NO:4.

65. A fusion protein comprising the isolated polypeptide of Claim 60.

66. An immogenic composition comprising the polypeptide of Claim 60 and a pharmaceutically acceptable carrier.

67. The immunogenic composition of Claim 66, wherein the vaccine comprises at least one other *Moraxella catarrhalis* antigen.